

REMARKS

Reconsideration of the application is respectfully requested on the ground that the rejections are inapplicable to the claims as amended and resubmitted.

Claims 1-8, 10-14, 17 and 18 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Richardson No. 4,619,386 in view of Fisherman No. 5,176,438. Claim 15 is rejected under 35 U.S.C. §103 (a) as being unpatentable over Richardson in view of Fisherman in view of Managed No. 5,025,353.

The claims avoid these rejections. Independent claim 1 has been amended to specify a planar base for placement on a reading stand or table and having upper and lower sides, a support connected to the upper side of the base, and an adjuster on the upper side of the base for selectively collapsing the support downwardly relative to the base so that the apparatus can support writing material and function as a clipboard; or propping the support in an upwardly extended position relative to the base so that the apparatus can support breathing material and function as a reading stand. Independent claim 18 has been similarly amended. In combination therewith, the claims additionally recite various other elements, including a compartment, a light, etc.

The amended claims are supported in the application as originally filed, including the next-to-last paragraph on page 4, bottom of page 6, and the drawing. (Note that a rectangle is a plane figure.)

The newly cited patent to Richardson discloses a vehicle desk container 10 for attachment to a vehicle dashboard 12. The container 10 is provided with strapping rings 74 and 76 plus straps 75 for securing the container 10 to the dashboard or to a car seat or other structure in the vehicle. See 1:7-9, 47-49, 60-61; 2:7-9, 12-14, 15-18; 3:65-66; 4:5-10. In addition, Richardson discloses that the base 44 is attached to the lower side of the vehicle desk container 10 by hinges or inserts 78. The base has structure including a fixed block 80 and a slidable or adjustable block 82 (Fig. 4), as well as a support arm 16 with upper and lower members 90 and 92 for attachment via a pivot point 98 to an attachment member 100 and attachment plate 102.

These structures appended to the lower side of the apparatus are maladaptive for placement on a reading stand or table. They would mar the surface of the reading stand or table and render the device unstable. Moreover, the upward and downward directions specified by the amended claims are opposite those disclosed by Richardson, and it would certainly not be obvious to deploy the Richardson apparatus upside down, since this would prevent proper access and utilization of the device. The structures protruding from various locations of the Richardson device cannot be eliminated for Richardson's purposes, since the point of his disclosure is to make it possible to tie the device down, so that it can be used in a moving vehicle.

Even if Fisherman's retractable light and Managed's spaced-apart, spring-loaded tabs were added to the Fisherman structure, the result would still not conform to the amended claims.

Withdrawal of the rejections and issuance of a notice of allowance are respectfully requested.

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If a telephone interview would expedite the prosecution of the application, the Examiner is requested to call undersigned counsel.

Respectfully submitted,
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